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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,318	11/19/2001	Masatsugu Norimoto	1163-0374P	8452

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EXAMINER

MANCHO, RONNIE M

ART UNIT PAPER NUMBER

3663

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/988,318

Applicant(s)

NORIMOTO, MASATSUGU

Examiner

Ronnie Mancho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. Figures 6&7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 15 and 16, "the second map" lacks antecedent basis. In addition, the limitations in lines 9-16 are not clear with respect to --the second map--.

Claims 2-6 are rejected for depending on claim 1.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in

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section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

5. Claims 1-3, 5 are rejected under 35 U.S.C. 102(e) as being anticipated by applicant's admitted prior art (figs. 6&7, page 1, lines 14 to page 6, lines 1-11).

6. Regarding claim 1 (as best understood), the applicant's admitted prior art discloses a navigation device for vehicle comprising:

a map data providing means for reading map data from a recording medium (page 3, lines 10-21);

a pre-reading process means (page 3, lines 9-21) for:

receiving a destination, detecting a current position of a vehicle, determining a route from the current position of the vehicle to the destination according to the map data provided from the map data providing means;

setting an area of a first map (sparsely hatched area of prior art fig. 6. Also see specification, page 17, lines 10-19) corresponding to a first part of the route placed in a first type of road to a first range in a pre-reading process and *setting an area of a second map* (densely hatched area of prior art fig. 6. Also see specification, page 17, lines 10-19) corresponding to a second part of the route placed in a second type of road to a second range in the pre-reading process on condition that the second range of the area of the second map is narrower than the first range of the area of *the first map*, the navigation device further comprising;

data storing means (specification, page 1, lines 24-28, page 17, lines 10-19) for storing both first map data, which corresponds to the first map area set by the pre-reading process means and is provided from the map data providing means, and second map data, which corresponds to

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the second map area set by the pre-reading process means and is provided from the map data providing means, in the pre-reading process; and

guiding means (specification, page 1, lines 21-23, page 2, lines 19 to page 3) for guiding the vehicle to take the route to the destination according to both the first map and the second map which are indicated by both the first map data and the second map data stored in the data storing means.

Regarding claim 2 (as best understood), the applicant's admitted prior art discloses the navigation device for vehicle according to claim 1, wherein the pre-reading process means comprises:

road attribute checking means for receiving the map data of a map area, which is partitioned into a plurality of map units and includes both the first type of road (see first fig. 2 compared to fig. 6, general road, page 17, lines 10-29) densely hatched area attributed to road links), to which a road attribute indicating the first type of road is attached, and a second type of road (through way) to which a road attribute indicating the second type of road is attached, from the map data providing means, partitioning the route (fig. 2 compared to fig. 6, specification page 17, lines 10+) placed on both the first type of road and the second type of road into a plurality of route links respectively included in one of the map units so as to attach the road attribute indicating the first type of road or the road attribute indicating the second type of road to each route link, checking whether the road attribute attached to each route link indicates the first type of road or the second type of road, specifying a first remarked map unit including each first remarked route link and one or a plurality of map units placed near to the first remarked map unit in cases where the road attribute attached to the first remarked route link indicates the first

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type of road, specifying a second remarked map unit including each second remarked route link in cases where the road attribute attached to the second remarked route link indicates the second type of road, controlling the data storing means to store data of the first remarked map units and data of the map units placed near to the first remarked map units as the first map data and controlling the data storing means to store data of the second remarked map units and data of the map units placed near to the second remarked map units as the second map data.

Regarding claim 3 (as best understood), the applicant's admitted prior art discloses the navigation device for vehicle according to claim 2, wherein the first type of road denotes a general road other than a throughway, and the second type of road denotes a throughway.

Regarding claim 5 (as best understood), the applicant's admitted prior art discloses the navigation device for vehicle according to claim 2, wherein a second pre-reading process (specification, page 4, lines 12+) is performed by the road attribute checking means to specify one or a plurality of additional map units placed near to the map units which are placed near to the first remarked map unit or the second remarked map unit, and the data storing means is controlled by the road attribute checking means to additionally store data of the additional map units.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's prior art in view of Okano et al (6311125).

Regarding claim 4 (as best understood), the applicant's admitted prior art discloses the navigation device for vehicle according to claim 3, wherein one or a plurality of map units placed near to one second remarked map unit, are specified by the road attribute checking means and the data storing means is controlled by the road attribute checking means to additionally store data of the map units placed near to the second remarked map unit as the second map data. On the other hand, the applicant's prior art did not disclose -- a junction--. However, Okano et al (figs. 5-8) teach of a junction in a second remarked map unit. Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the applicant's prior as taught by Okano et al so that a driver can easily identify a junction when traveling for safety.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's prior art in view of Ihara et al (6336073).

6. Regarding claim 6 (as best understood), the applicant's admitted prior art discloses the navigation device for vehicle according to claim 1, wherein the map data providing means is formed of a communication unit, but did not mention the internet. However, Ihara et al (col, 7, lines 47+, fig. 1) teaches of a map data providing means formed of a communication unit connected with an internet for downloading the map data from an external server (fig. 1) and providing the map data for a pre-reading process means and the data storing means (figs. 1&2). Therefore, it would have been obvious to one of ordinary skill in the art of navigation to modify the applicant's prior as taught by Ihara et al so that a driver can save memory space for storing navigation data for a large geographical area.

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*Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following: 6263277, 2001/0007090, 2001/0027377, and 2002/0065603 all disclose a navigation system.

*Communication*

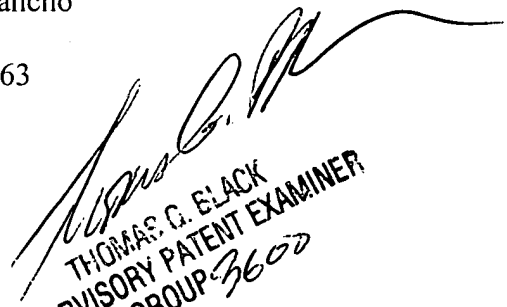
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 703-305-6318. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black can be reached on 703-305-9707. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Ronnie Mancho  
Examiner  
Art Unit 3663

Dec. 14, 2002

  
THOMAS G. ELACK  
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